

CIVIL SUIT NO. 2014-922B

ELIZABETH GAGNARD

13TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF AVOYELLES

**WAL-MART STORES, INC. AND/OR
WAL-MART LOUISIANA, LLC**

STATE OF LOUISIANA

PETITION FOR DAMAGES

The petition of **ELIZABETH GAGNARD**, resident of the full age of majority of Avoyelles Parish, Louisiana with respect represents that:

1.

MADE DEFENDANTS HEREIN ARE:

1. **WAL-MART STORES, INC. AND/OR WAL-MART LOUISIANA, LLC**, a Business corporation and/or Limited Liability Company whose agent for service of process is C T Corporation System, 5615 Corporate Blvd., Suite 400-B, Baton Rouge, Louisiana 70808.

2.

Defendants are fully, truly and legally indebted unto the petitioner, **ELIZABETH GAGNARD**, in the amounts which will be set forth by the trier of fact, together with legal interest thereon from the date of judicial demand until paid and for all costs of these proceedings and for all bodily injuries, loss wages, loss of earnings capacity, medical bills, travel expenses incurred for medical visits relating to this accident, including medical mileage reimbursement, loss of enjoyment of life and related expenses sustained by petitioner caused by and arising out of an accident which occurred with the jurisdiction of this Honorable Court, all as will be hereinafter particularized and duly shown on the trial of this case.

3.

This case results from a slip and fall accident which occurred on or about June 10, 2014 at Wal-Mart, located in Mansura, Avoyelles Parish, Louisiana.

4.

On June 10, 2014, plaintiff, **ELIZABETH GAGNARD**, walked into the

EXHIBIT

A

Wal-Mart and slipped on the wet floor and fell, thus causing the accident.

5.

Upon information and belief, the sole and proximate cause of the above described collision was the negligence of **WAL-MART STORES, INC. AND/OR WAL-MART LOUISIANA, LLC.**, said acts of negligence being described specifically as follows:

**NEGLIGENCE OF WAL-MART STORES, INC. AND/OR
WAL-MART LOUISIANA, LLC:**

- A. 1. Failure to provide a safe place for customers to shop;
2. Creating an unreasonably dangerous condition; and
3. Failure to put up a floor wet sign.

6.

As the result of the foregoing, petitioner, **ELIZABETH GAGNARD**, sustained severe and painful personal injuries to her right knee, as well as other injuries.

7.

As a result of the foregoing, the petitioner, **ELIZABETH GAGNARD**, was caused to sustain physical pain and mental anguish. She has required medical care and treatment for her injuries and residuals thereof; she has incurred medical, hospital and related expenses; she may require hospital and related care in the future and his condition may continue, worsen or become permanent.

8.

Petitioner, **ELIZABETH GAGNARD**, claims damages for pain and suffering (past, present and future), mental anguish, (past, present and future), disabilities and/or residuals and permanent physical impairment (past, present and future), including travel expenses incurred for medical visits relating to this accident and medical mileage reimbursement, loss of life's pleasures (past, present and future), medical, hospital and related expenses (past, present and future), loss of wages, loss of earning capacity, property

damage, vehicle rental expenses, towing fees, storage fees and related expenses and all other damages to which they are entitled under Louisiana Law, all in amount to be determined by this Honorable Court.

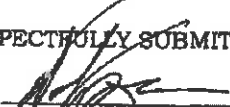
9.

Plaintiffs stipulate that, at this time, it does not appear that plaintiff's damages will exceed Seventy Five Thousand and No/100 (\$75,000.00) Dollars, exclusive of interest and costs.

WHEREFORE, plaintiff, **ELIZABETH GAGEARD**, PRAYS THAT:

1. The defendants, **WAL-MART STORES, INC. AND/OR WAL-MART LOUISIANA, LLC**, be served with a copy of this petition and duly cited to appear and answer same;
2. There be Judgment in favor of plaintiff and against the defendants, **WAL-MART STORES, INC. AND/OR WAL-MART LOUISIANA, LLC**, jointly, severally and in solido, for the damages set forth hereinabove, in an amount to be determined by this Honorable Court, together with legal interest thereon from date of judicial demand until paid and all costs of these proceedings;
3. Further prays for all general and equitable relief to which petitioner is legally entitled.

RESPECTFULLY SUBMITTED:

BY: 
DARREL D. RYLAND (#11565)
J.B. TREUTING (#17173)
WESLEY K. ELMER (#23724)
DANIKA A. BENJAMIN (#28872)
DANIELLE A. SOLDANI-RYLAND (#30735)
STEPHEN C. RYLAND (#33348)
BLAKE E. RYLAND (#34747)
P. O. Drawer 1469
Marksville, Louisiana 71351
Phone: (318) 253-5961

PLEASE SERVE:

1. **WAL-MART STORES, INC. AND/OR WAL-MART LOUISIANA, LLC**, a Business corporation and/or Limited Liability Company whose agent for service of process is C T Corporation System, 5615 Corporate Blvd., Suite 400-B, Baton Rouge, Louisiana 70808.

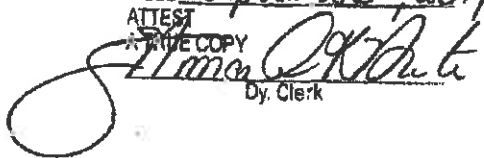
FILED

ATTEST

TRUE COPY

By Clerk

9/2/14

September 8, 2014

By Clerk

CIVIL SUIT NO. _____

ELIZABETH GAGNARD

12TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF AVOYELLES

**WAL-MART STORES, INC. AND/OR
WAL-MART LOUISIANA, LLC**

STATE OF LOUISIANA

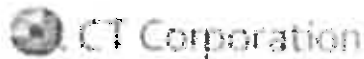
VERIFICATION

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified, in and for the Parish of Avoyelles, State of Louisiana, personally came and appeared **ELIZABETH GAGNARD**, who after being duly sworn did depose that all of the allegations of fact contained in the above and foregoing Petition for Damages are true and correct to the best of his knowledge.


ELIZABETH GAGNARD

SWORN TO AND SUBSCRIBED before me,
Notary, on this 5 day of September,
2014.


NOTARY PUBLIC



**Service of Process
Transmittal**
09/17/2014
CT Log Number 525716271

TO: Kim Lundy Service of Process, Legal Support Supervisor
Wal-Mart Stores, Inc.
702 SW 8th Street, MS 0215
Bentonville, AR 72716-0215

RE: Process Served in Louisiana

FOR: Wal-Mart Stores, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION:	Gagnard Elizabeth vs. Wal-Mart Stores, Inc. and/or Wal-Mart Louisiana, LLC
DOCUMENT(S) SERVED:	Citation, Subpoena Duces Tecum, Petition, Request, First Set of Interrogatories and Request, Verification
COURT/AGENCY:	12th Judicial District Court, Parish of Avoyelles, LA Case # 201400000922
NATURE OF ACTION:	Subpoena - Insurance Records - Pertaining to names, address and telephone numbers of all known witness at the time of the accident (See document(s) for additional requests)
ON WHICH PROCESS WAS SERVED:	CT Corporation System, Baton Rouge, LA
DATE AND HOUR OF SERVICE:	By Process Server on 09/17/2014 at 09:15
JURISDICTION SERVED:	Louisiana
APPEALABLE OR APPEAL WITH:	Within 15 days from the date of service (Document(s) may contain additional answer dates)
ATTORNEY/PROSECUTOR:	Darrell D. Ryland P.O. Drawer 1469 Marksville, LA 71351 318-253-0961
ACTION ITEM:	CT has retained the current log, Retain Date: 09/18/2014, Expected Purge Date: 09/23/2014 Image SOP Email Notification, Candice Golawreski-CT East CLS-VerificationEast@wvlterslawyer.com Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com
SIGNER:	CT Corporation System
ADDRESS:	5615 Corporate Blvd Suite 400B Baton Rouge, LA 70803
TELEPHONE:	225-922-4490

Page 1 of 1 / BM

Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the value of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

CITATION

ELIZABETH GAGNARD

Vs.

WAL-MART STORES, INC.



Case: 2014-0000922
Division: B
12th Judicial District Court
Parish of Avoyelles
State of Louisiana

To: **WAL-MART STORES, INC. AND/OR WAL-MART LOUISIANA, LLC**
THROUGH CT CORPORATION SYSTEM
5615 CORPORATE BLVD, SUITE 400-B
BATON ROUGE, LA 70808

YOU ARE HEREBY CITED to appear in the office of the Clerk of said Court, in the City of Marksville, Parish aforesaid and comply with the demand contained in the petition, of which a copy is hereto annexed, or make an appearance, in writing, by filing a pleading or otherwise in the Office of said Clerk within **FIFTEEN (15) days** after the service hereof, under penalty of default.

WITNESS the Honorable **JUDGES** of our said Court on Tuesday, September 09, 2014.

O/P W/ SDT PREP BY ATTY

Attorney
DARREL D. RYLAND

Connie B. Couvillon
Clerk of Court
[Signature]
Deputy Clerk of Court

SHERIFF'S RETURN

PERSONAL SERVICE

Received the above citation, a certified copy thereof, and a certified copy of the petition

Filed on _____

Date Served _____

In person to _____

Deputy Sheriff _____

DOMICILIARY SERVICE

Received this citation, a certified copy thereof, and a certified copy of the petition

Filed on _____

Date Served _____

Served to _____

A person apparently above the age of sixteen years residing at the said domicile as a member thereof from which, at the time of said service, the above named individual was absent.

Deputy Sheriff _____

[SERVICE COPY]